

# **Complaint to the Queensland Ombudsman**

## **Complainant**

Wulf von der Decken

## **Public Authority**

Western Downs Regional Council (WDRC)

## **Subject Matter**

Alleged maladministration involving predetermination and misleading community engagement in the decision-making process for the Dalby Cultural Centre (DCC), including site selection at Thomas Jack Park.

## **1. Purpose of this Complaint**

This complaint seeks the Ombudsman's assessment of whether Western Downs Regional Council's decision-making process for the Dalby Cultural Centre involved maladministration, in particular:

- predetermination of site selection prior to community consultation;
- misleading or ineffective public engagement on matters already decided; and
- progression to construction and tender before relevant evidentiary material (traffic impacts) was available.

This complaint is submitted at this stage because the construction tender is currently open and due to close in February 2026, and the decisions complained of continue to have operative effect.

## **2. Summary of Key Facts (High Level)**

1. Council selected Thomas Jack Park as the site for the Dalby Cultural Centre in February 2024.
2. Council mandated the form and frontage of the development in April 2024.
3. Council subsequently conducted a "Have Your Say" survey that included questions inviting public input on location.
4. Council unanimously approved the concept design and instructed the project team to proceed to construction and tender in November 2024.
5. Final traffic impact evidence was not published until after that approval.

A detailed, referenced timeline is attached as **Appendix A**.

### **3. Predetermination and Community Engagement**

Community engagement materials invited residents to express preferences regarding the location of the Dalby Cultural Centre.

At the time this engagement occurred:

- Council had already resolved to locate the DCC at Thomas Jack Park; and
- Council had already engaged consultants to progress concept design for that site.

As a result, the engagement process could not realistically influence the fundamental decision of location. The engagement was therefore conducted after the strategic decision had been made.

The complainant submits that this raises a question as to whether the engagement process was misleading or ineffective, and whether it satisfied the requirements of genuine consultation.

### **4. Progression Prior to Final Evidence**

Council authorised progression of the project to construction and tender prior to the publication of the final Traffic Impact Assessment on 2 December 2024.

Interim parking analysis relied upon limited datasets and expressly contemplated future internal carparking within Thomas Jack Park, indicating unresolved impacts at the time of approval.

### **5. Housing and Land Disposal Context**

In February 2024, Council resolved to dispose of 107 Drayton Street, Dalby, for housing purposes. That site had previously been used for community facilities.

The decision to dispose of that site for housing occurred contemporaneously with the selection of Thomas Jack Park as the replacement community facility location.

This context is included to assist the Ombudsman in understanding the broader decision environment. No improper motive is alleged.

## **6. Requested Outcome**

The complainant respectfully requests that the Ombudsman:

- assess whether the decision-making process involved maladministration, including predetermination or misleading consultation;
- consider whether progression to tender prior to availability of final traffic evidence was procedurally appropriate; and
- consider whether any recommendations are warranted while the project remains at a tender stage.

## **7. Attachments**

Appendix A – Concise Decision-Making Timeline: Dalby Cultural Centre / Thomas Jack Park

Signed,

Wulf von der Decken

Date: Friday 23<sup>rd</sup> January 2026

## **Appendix A**

### **Concise Decision-making Timeline: Dalby Cultural Centre / Thomas Jack Park**

#### **Purpose of this Timeline**

This edited timeline consolidates only those events and documents directly relevant to assessing whether Western Downs Regional Council's decision-making for the Dalby Cultural Centre (DCC) involved predetermination, misleading community engagement, or maladministration. Commentary and rhetorical material from the original draft has been removed. Facts are stated with dates and sources so they may speak for themselves.

#### **Background Context**

##### **2 February 2022**

Failure of the Myall 107 (107 Drayton Street) redevelopment becomes public following

significant defects and cost issues. Subsequent Council actions focus on alternative uses or disposal of the site.

## **Disposal of 107 Drayton Street (Housing Context)**

### **15 February 2024 – Ordinary Meeting of Council**

Council resolves to invite Expressions of Interest to dispose of **107 Drayton Street, Dalby**, for **housing purposes**. The land is zoned Community Facilities.

- Council expressly frames disposal as necessary to unlock housing supply.
- This decision establishes a material incentive to relocate community-facility functions elsewhere.

(Source: Ordinary Meeting of Council Minutes, 15 February 2024)

## **Dalby Cultural Centre – Site Selection and Design Progression**

### **February 2024 – Ordinary Meeting of Council**

Council selects **Thomas Jack Park** as the location for the Dalby Cultural Centre and instructs the CEO to appoint OMA to proceed with concept design.

### **April 2024 – Ordinary Meeting of Council**

Council mandates that the DCC development be located along the **Condamine Street frontage** of Thomas Jack Park.

(Source: Council correspondence confirming resolutions; Council minutes)

These resolutions establish that the location and general form of the project were determined prior to community engagement on location.

## **Community Engagement (“Have Your Say”)**

### **Mid-2024**

Council conducts a public “Have Your Say” survey which includes questions inviting respondents to express preferences on **location** for the Dalby Cultural Centre.

At the time the survey was conducted:

- Council had already selected Thomas Jack Park as the site; and
- Council had already engaged consultants to progress concept design for that site.

The survey therefore occurred after key strategic decisions had been made.

## Traffic and Parking Evidence

### 14 October 2024

A **Preliminary Parking Report** is prepared. The report counts only visitors entering the Visitor Information Centre and does not account for broader park usage, seasonal peaks, or overlapping events.

### 21 November 2024

Council considers the Dalby Cultural Centre concept design while relying on interim parking assumptions.

### 2 December 2024

The full **Traffic Impact Assessment (TIA)** is published after Council has already resolved to proceed with the project.

Both parking reports explicitly allow for future internal carparking within Thomas Jack Park, indicating unresolved impacts at the time of approval.

## November 2024 Council Decisions

### 21 November 2024 – Ordinary Meeting of Council

Council considers the Dalby Cultural Centre concept design and community engagement outcomes.

- Officer reports frame engagement as a mechanism to refine and manage impacts, not to determine site selection.
- No reopening of alternative locations is proposed or considered.

### 24 November 2024 – Ordinary Meeting of Council

Council unanimously approves the OMA concept design and instructs the project team to proceed to construction and tender.

(Source: Ordinary Meeting of Council minutes and resolutions)

## Related Land Disposal (Housing)

### 21 November 2024 – Confidential Session

Council resolves to dispose of Council-owned land at Haddock Place, Tara, to St Vincent de Paul for housing purposes for nominal consideration.

This decision aligns with Council's stated priority to facilitate housing delivery through disposal of community-zoned land.

## **Observations Arising from the Timeline (Factual)**

- The Dalby Cultural Centre site was selected before community engagement on location occurred.
- Community consultation included location questions after the decision had already been made.
- Council authorised progression to construction prior to the availability of final traffic evidence.
- Disposal of 107 Drayton Street for housing occurred contemporaneously with selection of Thomas Jack Park as the replacement community facility site.

No conclusions are drawn in this document. The sequence of decisions and documents is presented for independent assessment.